



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Heifetz *et al.*

Appl. No.: 10/625,648

Filed: July 23, 2003

For: Herbicide Tolerance Achieved  
Through Plastid Transformation

Art Unit: 1639

Examiner: Lundgren, J. S.

Atty Docket: 20757USCON8

Confirmation No.: 9729

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO RESTRICTION/ELECTION REQUIREMENT and**  
**PRELIMINARY AMENDMENT NO. 2**

Sir:

In response to the Office Action mailed March 1, 2007, Applicants elect to prosecute claims drawn to a mature enzyme having protoporphyrinogen oxidase (protox) activity and SEQ ID NO: 12, without traverse. Applicants reserve their statutory right under §121 to prosecute the subject matter of the non-elected inventions in a timely-filed application.

A Petition for Extension of Time for one month is hereby requested pursuant to 37 C.F.R. § 1.136(a). Accordingly, please charge Applicant's Credit Card in the amount of \$120 for this Petition. A Credit Card Payment Form is enclosed for fee purposes. The Commissioner is hereby authorized to charge any additional fees that may be required under 37 CFR §1.17, or credit any overpayment, to Deposit Account No. 50-1744 in the name of Syngenta Biotechnology, Inc.

Applicants respectfully request that the above-captioned application be amended as follows in advance of prosecution.

04/25/2007 AWONDAF1 00000030 10625648

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120.00 OP

04/25/2007 AWONDAF1 00000031 10625648

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120.00 OP